



272976

October 31, 2017

Public Service Commission of South Carolina
101 Executive Center Dr., Suite 100
Columbia, SC 29210

Professional Engineers Call for Investigation by NRC into Use of Unqualified Personnel to Design the Westinghouse AP1000 Reactors at V.C. Summer - To be Filed in Docket 2008-196-E

RECEIVED
2017 OCT 31 11:25
SC PUBLIC SERVICE COMMISSION

To Whom it Concerns:

I request that this letter and the attached document and article be filed in Docket 2008-196-E (*Combined Application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity and for a Base Load Review Order for the Construction and Operation of a Nuclear Facility in Jenkinsville, South Carolina*).

I hereby attach:

1. Letter from the National Society of Professional Engineers, to the U.S. Nuclear Regulatory Commission, October 26, 2017, requesting that the NRC "launch a thorough and complete investigation" in the V.C. Summer project and possible use of "unqualified and unlicensed workers" in preparing Westinghouse AP1000 reactor design documents, 2 pages
2. Article entitled "National engineering association calls for federal investigation into canceled S.C. nuclear reactors," Charleston (South Carolina) Post and Courier, October 27, 2017, 4 pages

These documents have also been filed with the Department of Labor, Licensing and Regulation (LLR) on October 31, for retention in the LLR's investigative file on this matter. It is unknown where the investigation stands but evidence gathered in that investigation may be of use in future PSC proceedings on SCE&G's nuclear debacle.

Sincerely,

Tom Clements

October 26, 2017

Kristine Svinicki
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Jeff Baran
Commissioner
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Stephen Burns
Commissioner
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Dear Chairman Svinicki and Commissioners Baran and Burns,

On behalf of the National Society of Professional Engineers and its more than 31,000 members, I urge the Nuclear Regulatory Commission to launch a thorough and complete investigation into events leading to the shutdown of construction of two nuclear reactors at the V.C. Summer site in South Carolina. NSPE is the only membership organization dedicated to ensuring the value of an engineering licensing system that protects the public health, safety, and welfare. NSPE strives to inform government agencies, industry, and the public about the critical importance of engineering licensure.

According to multiple sources, including media reports and statements by licensed professional engineers familiar with these events, Westinghouse Corporation and other contractors allegedly used unqualified and unlicensed individuals to design aspects of two nuclear reactors at the V.C. Summer site, placing the public health and safety at risk. Documents obtained by Charleston's *Post and Courier*, a Pulitzer Prize-winning newspaper, show that construction drawings used at the V.C. Summer site were not prepared, reviewed, or approved by licensed professional engineers. Internal published documents also allege a deliberate attempt by Westinghouse attorneys to narrowly interpret South Carolina professional engineering statutes to evade generally accepted design and construction practices.

According to reports, state and federal officials were not informed that unqualified and unlicensed workers were preparing design documents or conducting complex engineering calculations. These practices allegedly contributed to thousands of design revisions, construction setbacks, schedule changes, and the ultimate demise of the entire project.

We recognize that not all design elements of a nuclear facility (e.g., the nuclear island) currently require a professional engineer to be in responsible charge. However, in South



NATIONAL SOCIETY OF
PROFESSIONAL ENGINEERS

Champion Guide Advance Unite

Carolina and most states, drawings for large building projects require the signature and seal of a licensed professional engineer, especially when that construction affects public health and safety.

A professional engineering license demonstrates a commitment to standards of engineering practice and ethical conduct by individuals possessing the necessary education, experience, and qualifications to provide critical engineering services to the public. A licensed professional engineer is required by law to adhere to statutory, regulatory, and ethical duties to bring the necessary technical competence to a project and to place the protection of the public health, safety, and welfare above all other considerations. If professional engineers violate regulatory or ethical requirements, they may be fined and have their license suspended or revoked by state engineering licensing boards. The public interest is best served when qualified individuals have not only proper technical expertise, but also a clear safety obligation that overrides all other considerations.

The NRC and NSPE share a common goal in protecting the public health, safety, and welfare by determining the causes of the failure of this project. NSPE therefore urges the NRC to immediately launch a full and complete investigation of this very serious matter.

Please contact Arielle Eiser, associate director of government relations and advocacy, at aeiser@nspe.org, with any comments or questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom C. Roberts".

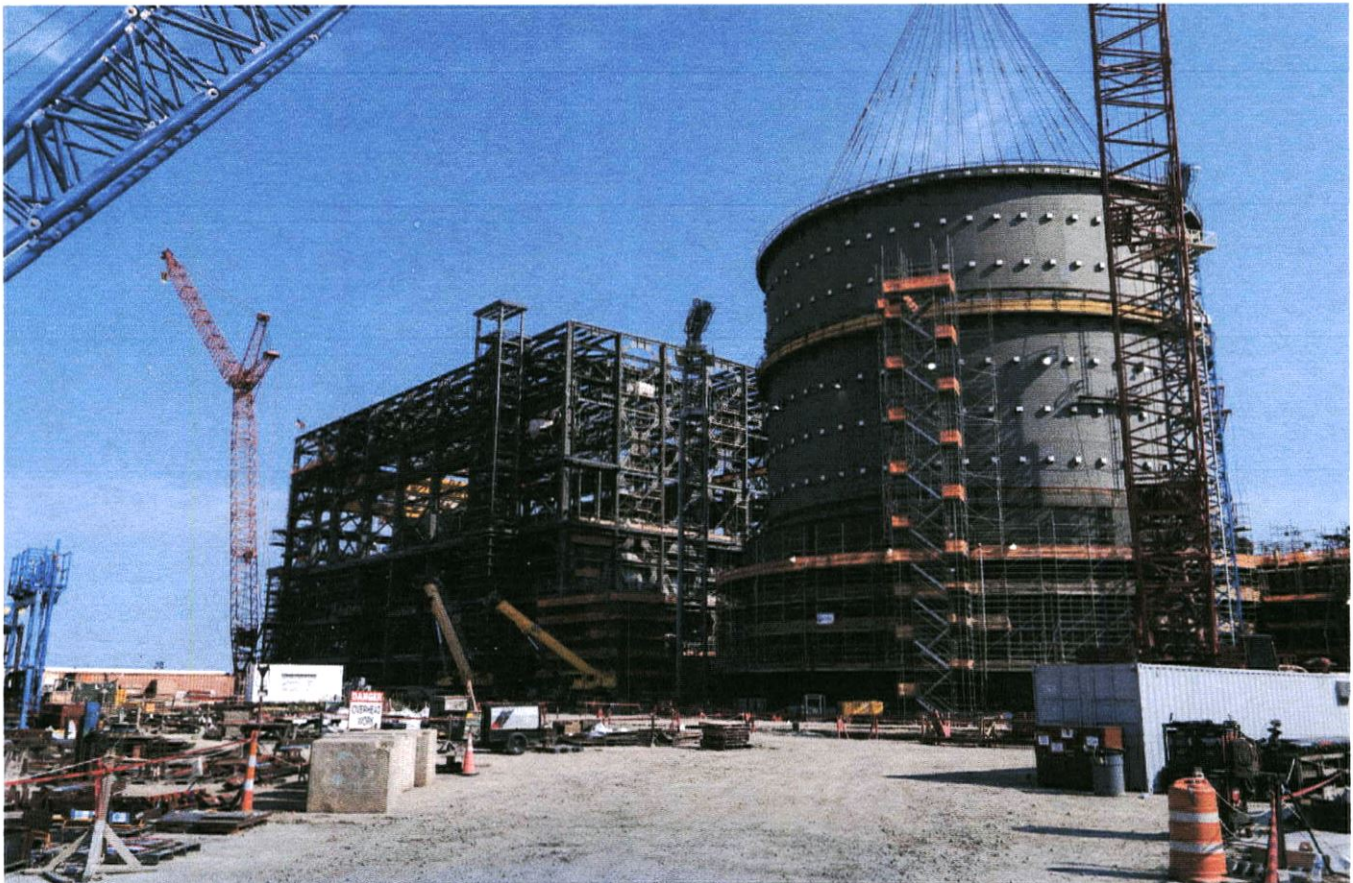
Tom C. Roberts, P.E., F.NSPE
President, 2017–18

http://www.postandcourier.com/business/national-engineering-association-calls-for-federal-investigation-into-canceled-s/article_644f1a34-ba78-11e7-87bb-a346f8ff1a22.html

TOP STORY

National engineering association calls for federal investigation into canceled S.C. nuclear reactors

By Andrew Brown abrown@postandcourier.com Oct 26, 2017 Updated Oct 27, 2017



The National Society of Professional Engineers sent a letter to the Nuclear Regulatory Commission calling for a federal investigation into the construction of two failed nuclear reactors in South Carolina. File/Provided



**National Society of
Professional Engineers**

COLUMBIA — A national association that represents professional engineers across the country is calling for a federal investigation into the cancellation of two nuclear reactors in South Carolina.

The National Society of Professional Engineers sent a letter to the Nuclear Regulatory Commission on Thursday asking the agency to investigate the nuclear construction effort at V.C.

**letter to Nuclear Regulatory
Commission**
By Andrew Brown
abrown@postandcourier.com
Updated Oct 26, 2017

Summer Nuclear Station that was abandoned in July.

The push to have the country's nuclear regulators open an investigation comes more than a month after The Post and Courier uncovered the use of unlicensed construction designs for the \$9 billion project in Fairfield County.

The newspaper's investigation — Stamped for Failure — highlighted a decision by Westinghouse to disregard state laws that require professional engineers to oversee and approve the blueprints for construction projects. Over the past decade, the Pennsylvania-based company was responsible for designing and constructing four new nuclear power plants at V.C. Summer and the Vogtle plant near Augusta.

The faulty designs for the nuclear reactors contributed to design revisions, construction setbacks and schedule changes that led to the ultimate demise of the project located 30 miles away from South Carolina's capital, engineers from V.C. Summer said.

Tom Roberts, president of the National Society of Professional Engineers, cited that lack of professional engineering in a letter to the federal commissioners.

"Documents obtained by Charleston's Post and Courier, a Pulitzer Prize-winning newspaper, show that construction drawings used at the V.C. Summer site were not prepared, reviewed, or approved by licensed professional engineers," Roberts wrote.

Sponsored



**WWII Veteran Shares Tales of the
Storied Aircraft Carrier**

Visitors to Patriots Point Naval & Maritime Museum are encouraged to Walk in the Steps of Heroes. But what's even more meaningful for visitors is the chance to walk alongside real live heroes – the veteran volunteers who share their personal stories of wartime heroics. [sponsored]

The letter refers to a 2012 legal opinion that highlighted Westinghouse's choice to disregard the state engineering laws in South Carolina, Georgia or any other state where the company constructed its new AP1000 reactor design.

"Internal published documents also allege a deliberate attempt by Westinghouse attorneys to narrowly interpret South Carolina professional engineering statutes to evade generally accepted design and construction practices," Roberts said.

Both SCANA, the majority owner of the unfinished reactors in South Carolina, and Georgia Power, a primary owner of the reactors in Georgia, reportedly knew of Westinghouse's legal decision.

The NRC did not immediately respond to questions about the letter, but if the federal agency opens an investigation, it would join a federal grand jury, state law enforcement officials, two legislative committees and the Securities and Exchange Commission that already are probing the nuclear project.

An environmental group also has requested an investigation from the S.C. Department of Labor, Licensing and Regulation, which is responsible for enforcing South Carolina's engineering laws, but state officials have yet to take any action.

South Carolina's utility watchdog agency asked investor-owned SCANA on Thursday to schedule a time to update the state's seven utility regulators on the now-abandoned reactors.

While the NRC doesn't have laws or regulations that mandate the use of professional engineers when designing nuclear power plants, Roberts said the alleged actions of Westinghouse placed the public's health and safety at risk.

Using unlicensed engineers to help design nuclear reactors, Roberts said, should prompt the NRC to "immediately launch a full and complete investigation of this very serious matter."

Reach Andrew Brown at 843-708-1830 or follow him on Twitter
@andy_ed_brown.

Andrew Brown